7

7.

THE

TRYAL

OF

Nathanael Thompſon,
John Farewell,
William Pain,

Before the Right Honourable

Sir Fran. Pemberton Kt.

Lord Chief Juſtice of *England*, by *Niſi Prius*.

AT

Guild-Hall, *London*, the Twentieth of *June*, 1682.

For Writing, and Publiſhing, Scandalous Letters to Mr. *Miles Prance*, in Relation to the Death of Sir *EDMUND-BURY GODFREY*.

LONDON, Printed for *William Maſon*, 1682.

THE

TRYAL

OF

Nathanael Thompson, John Farewell, William Pain.

MR. *Farewell* only appeared Perſonally, being a Priſoner in the Kings Bench, and brought thence: But *Thompſon* and *Pain*, though called, appeared not, but only by Council.

The Jury being Impannel'd, Were as Follows:

Mr. *Peter Hubland* Forem.	Mr. *Whitwood.*
Mr. *Ellis.*	Mr. *Sambrook.*
Mr. *Barry.*	Mr. *Jacob.*
Mr. *Brooks.*	Mr. *Denew.*
Mr. *Biſield.*	Mr. *Bailey.*
Mr. *Lee.*	Mr. *Howard.*

Who being Sworn, the Information was Read, The Subſtance of which, *Was this*:

Mid. ſſ. THe Informations ſets forth, That on *Tueſday* next, after the Purification of the *Virgin Mary* in *Hillary* Term, in the thirtieth and thirty one Year of this King; *Robert Green*, *Gerrald*, *Henry Berry*, *Lawrence Hill*, *Dominick Kelly*, and *Philbert Vernatt* were Indicted, for that they Felonioufly and out of Malice forethought did make an Aſſault upon Sir *Edmund-bury Godfrey*, and with a Linnen Handkerchief did Strangle the ſaid Sir *Edmund-bury*: And afterwards on *Wedneſday* next after the Purification of the *Virgin Mary* in *Hillary* Term, in the thirtieth and thirty one Year of this King, the aforeſaid *Robert Green*, *Henry Berry*, and *Lawrence Hill*, by Writ of *Habeas Corpus*, were brought to the Kings Bench Bar to plead to the ſaid Indictment, and thereupon they ſaid they were not Guilty, and put themſelves upon their Country, and thereupon Iſſue was Joyned, and

were found Guilty by a Jury of the Felony and Murder aforesaid, and thereupon were Executed. And that one *Miles Prance* being Produc'd as a Witness for the King, then gave Evidence against the said *Green* and others, to Prove them Guilty of the Felony and Murder aforesaid. And likewise *William Bedlow*, *John Brown*, *Elizabeth Curtis*, and others, were Produc'd as Evidence for the King, against the said *Hill* and others. And that one *Nathaniel Thompson*, *William Pain*, and *John Farewell* being Deviliſhly affected to Scandalize the said *Prance*, *Bedlow*, *Brown* and others in their said Evidence, and abscond and detect Machinations of the *Papists* against the King, *&c.* And endeavouring to perswade all Persons that the said *Hill* and others were Executed unjustly, and that the said Sir *Edmund-bury Godfrey* Murdred himself, And the said *Thomson*, *Paine*, and *Farewell*, to fullfil their wicked Intentions falsly and Deviliſhly made a Scandalous Book Intituled a Letter to Mr. *Miles Prance* in Relation to the Murder of Sir *Edmundbury Godfrey* which follows in these Words, (*Thomsons* Intelligence recited *Verbatim*,) And the said *Thompson*, *Paine*, and *Farewell* knowing the said *Libel* to be Wicked, Scandalous, and False, unlawfully and Deviliſhly did utter and Publiſh in the great Contempt of Publick Justice, in the evil Example of all others in the same Case Offending, against the Peace, *&c.*

To this they Pleaded not Guilty.

Cryer. O Yes! O Yes! O Yes! If any man can Inform my Lord the Kings Justice, the Kings Attorney, before this Inquest be taken, against any the persons Informed against; let them come forth and they shall be heard.

C. Thompson. My Lord, and you Gentlemen of the Jury, This is an Information against *Nathaniel Thompson*, *William Pain* and *John Farwell*, for Printing and Publiſhing several Scandalous Libels about the Death of Sir *Edmundbury Godfrey*; whereas we are satisfied that *Green*, *Berry* and *Hill* were Indicted, Tryed and found Guilty, and Executed for the Murder of the same person, upon the Tryal of the same matter, several Witnesses were Examined, *viz.* Mr. *Bedlow*, Mr. *Prance* and others; and by the Inquisition of the Coroners it appears that the said Sir *Edmundbury Godfrey* was killed by persons unknown, though after this it has sufficiently appeared who were the Murderers, and some of them have received their due Reward for that so horrid a Crime, by the publick Justice of the Nation. Yet these Persons have Maliciously Printed and exposed several Scandalous Letters to Mr. *Miles Prance*, reflecting on Sir *Edmundbury Godfrey*, as if he had Murdered himself, and likewise on all the Witnesses as if they had Contradicted themselves in the Tryal of *Green*, *Berry* and *Hill*: Now if we can prove them Guilty of these Scandalous Libels remitted, we doubt not but you will find them Guilty of the matter of the Information.

Clark. Read the the Indictment of *Green*, *Bury*, *Hill* and *Kelly*, the 12th. of *October*, the 30th of the King; which being Read, it plainly appeared, that they were Indicted and found Guilty of the Murder of Sir *E. B. Godfrey*.

C. Thomp. Mr. *Saunders* [being of Council with one of the Defendants] will you put us upon proof that they were Executed for the ſame?

Mr. *Saunders.* Yes.

Cryer. Captain *Richardſon* come into Court.

C. Thomp. Captain *Richardſon,* were *Green, Berry* and *Hill* Executed for this Crime?

Capt. Rich. Yes Sir, they were Executed for the Murder of Sir *E. B. Godfrey* and I ſaw them Executed.

Council. Mr. *Prance,* did you give Evidence againſt *Green, Berry* and *Hill,* for the Murder of Sir *E. B. Godfrey?*

Prance. Yes Sir, I did.

Council. Was *Brown* a Witneſs too?

Prance. Yes.

Coun. Was *Elizabeth Curtis?*

Prance. I Don't know, but I think ſhe was.

Coun. Eliz. Curtis, were you a Witneſs for the Murder of Sir *E. B. Godfrey.*

E. Curtis. Yes if it pleaſe your Honour, my Lord.

Cryer. Sir *John Nicholas,* Sir *Philip Floyd, William Bridgeman* Eſquire; make room there Officers, go out, make room there for the Witneſſes to come in. Theſe three Gentlemen were ſworn.

L. C. J. Sir *Philip Floyd,* were theſe Papers owned by *Thompſon, Farwel,* and *Pain,* look on them.

Sir *Ph. F.* My Lord, theſe are the two Papers I indorſt with my own hand, and they owned them to be their Writing, *Farwell* writ one of them, and *Pain* the other, and they acknowledged that *Thompſon* Printed them, and *Thompſon* likewiſe conſeſt the ſame before the Council. Sir *John Nicholas,* and Eſquire *Bridgman* ſpoke to the ſame effect.

Sir *Fra. Withins.* My. Lord, and you Gentlemen of the Jury, you ſee that *Farwell* and *Pain* owned the Writing of them and *Thompſon* the Printing of them.

Mr. *Saunders.* Which was it that *Farwell* did own.

Sir *J. Nicholas. Farwell* did own the firſt read in Council, and the other the ſecond, but I cannot certainly ſay which, but I markt them.

L. C. J. Do you believe thoſe Notes and Minutes to be true?

Sir *John.* Yes I took the Notes my Lord.

Council. Sir *Philip,* did *Thompſon* own the things produced the 29th of *March* as *Printed* by him?

Sir *Phil.* Yes.

L. J. C. Read the *Letters.*

Both the Letters being Read, and *Nath. Thomſons* Intelligences, *Numb.* 125. and 127. Read likewiſe.

Serj. Maynard Spake here very Learnedly, and deſcanting on theſe Letters, and Pamphlets, but with ſo low a voice that was not Intelligible to the Writer.

Mr. *Sanders.* My Lord, Of all this Charg'd there is nothing againſt *Pain* but the ſecond Letter. My Lord, he owns it as a very raſh and

unadviſed Act, but no malicious Act. *Pain* nor none of his Family (My Lord) have been Enemies to the *Government*, or charged with malicious deſigns againſt it, but this Act its Fooliſh and Inconſiderate, and we cannot Juſtify it, we ſubmit our ſelves to your Lordſhip.

L. C. J. You have promiſed to prove it, and I will hear whatſoever you can prove, I will hear any kind of proof you can make for it. It is a buſineſs of mighty concern, and therefore not ſlightly to be paſt over.

Council, We are ſorry at what we have done, and we have offered to give *the Brothers* any Satisfaction they deſire, or we are Capable of.

L. C. J. Do not ſay ſo, for they told me themſelves that they would make out what they had ſaid by five hundred Witneſſes.

Council. Farewell and *Pain* are not *Papiſts* as they are reputed to be, but are Proteſtants, for they have received the *Sacrament*.

L. C. J. Pray call your Witneſſes, and make the beſt on't you can.

Cryer, ---*Boales*, ---*Scot*, Mr. *Pains* Witneſſes.

L. C. J. You ſhall be admitted to prove any thing you can, becauſe they did ſay, that they would *prove* it by five hundred Witneſſes, and make it as plain as the day.

C. Thomp. Since their hearing before the Council they Vaunted in *Thompſons* Intelligence, that they were ready with threeſcore Witneſſes to prove all they had ſaid.

Council, Call *Thomſons* Witneſſes.

Cryer, *William Ward*, *Fra. Hacker*, *Tho. Scot*.

One of them preſent, ſaid *I'le go call the reſt*.

Cryer, And will you come again?

Council, I am Council here for Mr. *Thompſon*, who by the Direction of Mr. *Pain*, and *Farewell*, Printed theſe Papers upon their promiſe to make them good, and they have both confeſt that they were Written by them, and Printed by him, although now they deſign to caſt the *burden* upon his Shoulders; My Lord, as its a great mercy (the Murder being Committed) that Perſons concerned therein, have been Detected and Puniſhed, ſo it is a great mercy that the Authors of theſe Letters are Diſcovered, and ſo alſo of the two Intelligences, they were as much the Authors of the one as the other; My Lord, *Thompſons* Intelligence is well known to be *open* to all that will come and put any thing into it, and he is paid for his pains.

L. C. J. He will be paid *for his pains too, I hope*.

Cryer, *Edward Fiſher*, *John Hazard*, Mr. *Culling*, *John Rawſon* and his Wife, Witneſſes for *Farewell*.

L. C. J. Hazard, begin, what ſay you Sir?

John Hazard, My Lord, It was early in the Morning about ſix a Clock, and happened the ſame day after Sir *E. B. G.* was found, Mr. *Pain* deſired me to walk with him, and coming towards the White Houſe we underſtood Sir *E. B. G.* was found, I had known him full twenty Years before, and therefore knew him at firſt ſight, his Shoes

were

were clean Bottom and Top, with *Seeds* ſticking to them, as if he had been in a Hay-mow.

L. C. J. Where was he?

Hazard, Upon a Table when I ſaw him, Then Mr. *Pain* deſired me to go to the place where he had lain in the Ditch, and Mr. *Pain* conducted me to the place, where I ſaw ſeveral Gobbits of Blood by the Ditch ſide.

Cryer, *William Batſon*, ----Sworn.

William Batſon, Mr. *Farewell* and I walked into the Fields in the Morning.

Williams, Did you invite Mr. *Farewell* to go thither?

Batſon, No. he deſired to walk.

Williams, Did he carry you to the *White-Houſe* before he went to the place where his Body lay?

Batſon, No.

Williams, Did *Farewell* bring you to the place where the Body lay, when it was carried to the *White-Houſe*?

Batſon, Yes Sir, *Farewell* ſhewed me the *place*, and then conducted me to the Houſe.

Council, How came you to go to this place?

Batſon, The News was brought by a Fellow who was not believed, and by conſent a *Porter* was ſent out to inquire the Truth, when the *Porter* returned, he ſaid the Body of Sir *E. B. G.* was found, and carried to the *White-Houſe*, we *ran* thither and were there quickly, and there was not above ſix there beſide our ſelves.

Council, Did *Farewell* when he carried you to the Ditch, ſay that was the place?

Batſon, Yes.

Council, Did *any Body* ſhew you the place beſide *Farewell*.

Batſon, I had no acquaintance with any but him.

Council, Did any ſhew you the place, but *Farewell*, I ſay?

Batſon, No Sir.

Council, Did he go directly?

Batſon, We went directly, we went the ſtraiteſt way to the place, and paſt over ſome Ditches.

Council, Was any there beſide Mr. *Farewell* and you, at the time you went over Ditches, Did any direct you?

Batſon, No.

Another Witneſs ---call'd and Sworn.

Witneſs, My Lord, That Morning the Murder was diſcovered I went with two or three of my Neighbours to ſee as others did, and when we came to the *White-Houſe* I ſaw Sir *E. B. G.* lie on the Table, his face looked ſwarthy, and he ſeemed as though he had been *Strangled*, thence I walked to the Ditch, where they ſaid his Body had lain, *they ſhowed* me *Blood* there, but whether *his* or no, I cannot Swear.

L. C. J.

L. C. J. Was it a *Froſt* then?

Anſwer, I do not know whether it was a Froſt or no, it is ſo long ſince, it to me looked like *Blood* that was *laid there*, rather then any thing elſe.

Another Witneſs, My Lord, I was Carpenter to my Lord----- and I was ſent for to the *White-Houſe*, and as I went to take Orders, I heard the Report that Sir *Edmond* was found, I went on to my deſigned place, and when I came there, I ſaw Sir *Edmond* lie dead on the Table, I turned his Coat up, I ſaw two wounds within an Inch and half of one another, the one went no further then the bone, and the other through his back, and they brought to m: the *Sword* which they ſaid, they had pull'd out of his Body. There was an Order to get him ſtript, I pull'd off his Shoes, his Shoes were *clean*, I pull'd off three pair of Stockings, and a pair of Socks, I pull'd off his black Breeches and Drawers, We ſet him on his breech upon the Table, with his Leggs hanging down, unbuttoned his Coat and Waſtcoat pull'd them off, but we could not bend his Arms when we came to his Shirt, ſo we tore it open. Upon his Back, there was ſome Blood, but upon his *Flannel* there was none. I have one thing more to ſay, There was a place Black round about his Throat, which looked as if he had been *Strangled*, and his Neck was weak and looſe, and had no ſtrength at all in it, by which *its Evident he was Murdered.*

Farewell, The *Blood* is one of the Arguments which induced me to do what I have done: For as to the *Circle* about the Throat it is no more then ſometimes attend Perſons in an Ordinary way, I was not preſent in the Court at the Tryal of the *ſuppoſed* Murderers, when it was ſtrongly pretended there was no *Blood* there, whereas I'le Swear there was near a *handful of Blood* (My Lord) and I will tell *you who laid it there.*

Call *Rawſon* and his Wife.

Cryer, *Rawſon* and his Wife ----Sworn.

Farewell, This man was the man that helped the Body out of the Ditch, and carried it to the Houſe, let him ſpeak to it.

Rawſon, I was the Perſon who upon the firſt Diſcovery of the Body, pull'd him out of the Ditch, when I had ſo done, pull'd the Sword out, which was run through him, and then removed him to the Houſe, There was *Blood*, or like *Blood* and *Water* came from him, and carrying him into the Houſe, while going in at the door his Back did ſwing againſt the ſide of the door, and there was ſome *Blood* and *Water* left there, and likewiſe upon the Table where he was laid, and the Floor, and ſome in the Cellar.

L. C. J. Did the *Blood* run from the Body on the *Table*, from thence to the *Floor*, and then into the *Cellar*.

Rawſon, There *was Blood* in all theſe places, but I cannot ſay how it came there, unleſs it came from the Body.

L. C. J. Upon your Oath do you know that was *Blood?*

Rawſon, I will not Swear whether it was clear *Blood* or no. (At which was a great noiſe in the Court.)

Cryer.

Cryer, Silence.

Farewell. My Lord, I desire the same Question may be asked *Rawson*'s Wife; Whether the Blood did not run from the Body on the Table on the Floor, and down into the Cellar.

Rawſ. Wife, As Sir *E. B. Godfrey*'s Body laid along on the Table, the Blood and Water ran from the Table on the Floor.

L. C. J. And did it run into the Cellar too?

Rawſ. Wife, I am ſure the Bottles were wet with Blood there.

Farewell, My Lord, now to the next Point, it is the difference between Mr. *Bedlow*'s and Mr. *Prance*'s Evidence, I have the *Journal* of the Houſe of Lords, and I will undertake to prove it. Call *John Stanly*.

Cryer, *John Stanly*, Come into the Court.

L. C. J. What is it you would have of him?

Farewell, I would have him prove the Copy of the *Journal* of the Houſe of Lords.

L. C. J. What uſe do you then make of it?

Farewell, I ſay there is a great difference between the Evidence of *Bedlow* and him, and I will produce the Journal to prove that whereas *Prance* ſaid he was *ſtrangled* with a Handkerchief, *Bedlow* in his Depoſitions before the Houſe of Lords aſſerted he was *ſtifled with a Pillow*.

L. C. J. Can you prove that *Bedlow* gave that Evidence?

Farewell, Yes my Lord, by Mr. *Whinyard*, *Walker*, and others. Call them.

Cryer, Mr. *Whinyard*, Mr. *Walker*, Mr. *Hobbs*, Mr. *John Chaſe*, Mr. *James Chaſe*, —— ſworn.

Farewell, I ask Mr. *James Chaſe* but this Queſtion, Who it was *unbuttoned* his Collar?

James Chaſe, That day, after the Body was found, I went in company to the Field, and then to the place where they ſaid the ſaid Body had been; I look'd into the Ditch, and could ſee no ſign of Blood there; but on the ſide of the Ditch, four or five yards diſtant, was ſome, *as appeared to me*; which they ſaid had followed the Sword when it was pull'd out of the Body. Then I went where the Body lay, and view'd it. I ſaw two wounds under the left Pap, his Throat was *black* and blew upon opening the Collar near the breadth of an Hand, and his Face was very much ſwelled: I believe he was *ſtrangled by others*, for I cannot believe all thoſe Injuries could otherwiſe attend him after he was dead.

Cryer, Mr. *Hobbs* —— ſworn.

Farewell, I desire that Mr. *Hobbs* may be ask'd, If he did not propose to Mr. *Michael Godfrey* that his Brothers Body might be opened, whereby he might certainly know whether he was murdered or no.

Mr. *Hobbs*, My Lord, I did believe he was *strangled*.

L. C. J. Mr. *Hobbs*, Did you desire his Body might be opened? And did you say, It might be very well, if Mr. *Michael Godfrey* would send for a Doctor and Surgeon from the Court, to have him opened, that all might be fully satisfied that he was murdered?

Mr. *Hobbs*, My Lord, I was satisfied in my self that he was *strangled*, and had those wounds from others; I did not advise it for my particular Information, but that of others.

L. C. J. Pray what *colour* was his Face?

Mr. *Hobbs*, He was *black* and *swarthy*, and the white of his Eyes and the Blood Vessels were as full as those that are troubled with Sore Eyes.

Farewell, I desire to know whether he had Fly-blows in his Eyes?

L. C. J. Had he Fly-blows in his Eyes?

Mr. *Hobbs*, No my Lord.

Mr. *John Chase*, I walked to see this Body which I heard was found, I found a great *Contusion* upon the left Muscle. I troubled my self no more at that time. I was desired after this by Doctor *Lloyd* to go with him, and coming there to review the Body, I observed a Swelling under the left Ear, together with several other Contusions, which were very surprising, for (my Lord) I never found any so *contused* in all my life. My Lord, When we had heard the Matter of Evidence and the Persons charg'd with the Crime, Mr. *Farewell* one day called me aside, and told me what proof he could make in this Business against the Evidence. Then said I, Mr. *Farewell* you are my Friend, I would advise you for your good; I believe nothing can be made appear against it. I saw not Mr. *Farewell* for a considerable time after: Afterwards on the *Eve* of *Easter-day* I met Mr. *Farewell*, and it was thus; I had been drinking a Glass of Wine with some Friends, Mr. *Farewell* came in and asked for one; so they knowing him, called for another Bottle. Said I, Because Mr. *Farewell* is come, I will drink another Glass with him, although I was taking my leave. We fell into some Discourse, and talking of this Subject, he told me, That Six Months before I had given him *good Counsel*, if he could have taken it.

Cryer,

Cryer, Mr. *Smith* the Cook, Mr. *Tho. Smith*, Mr. *Brown*, —— ſworn.

L. C. J. Mr. *Farewell*, What would you have from theſe Witneſſes?

Farewell, My Lord, I would have you to ask, Whether Sir *E. B. Godfrey*'s Eyes were not Fly-blown?

L. C. J. Mr. *Brown*, It's propoſed to you by Mr. *Farewell*, Whether the Eyes of Sir *E. B. Godfrey* were Fly-blown?

Mr. *Brown*, No my Lord, not that I ſaw.

L. C. J. Was there any ſpecks that were like Fly-blows?

Farewell, My Lord, I'll call two Witneſſes more, and will prove it.

Mr. *Brown*, No my Lord, I ſaw no *ſpecks* like Fly-blows. Mr. *Farewell* was with me, and told me his Eyes were Fly-blown, and would fain have me ſaid ſuch things, if I would have ſaid them.

[*A great Noiſe about the Court.*]

Cryer, My Lord the Kings Juſtice commands all Perſons to keep ſilence upon pain of Impriſonment.

Mr. *Brown*, He came another time, and told me, that I was wrong in my *Affidavit*, as though he knew it better than my ſelf.

L. C. J. Where was this?

Mr. *Brown*, He was at my Houſe.

L. C. J. Was Mr. *Pain* with him?

Mr. *Brown*, My Lord, I did not know Mr. *Pain*, and therefore cannot ſay whether he was there or no.

Council, Do you know Mr. *Thompſon*, was he with him?

Mr. *Brown*, I know not *Thompſon*, therefore cannot ſay that he was.

Cryer, Mr. *Nath. Thompſon* and Mr. *Pain*, being called, did not appear.

L. C. J. What do you ask Mr. *Smith*?

Farewell, The ſame Queſtion about the *Blood*, and whether he did not carry ſome of it away in his Handkerchief?

L. C. J. Pray tell Mr. *Farewell* Whether you took up any of Sir *E. B. Godfrey*'s Blood, and carried it home in your Handkerchief?

Mr. *Smith*, My Lord, When I went that way Sir *E. B. Godfrey*'s Body was removed, before I got thither; I viewed the

place

place where they ſaid he laid: and indeed I was ask'd, Whether I ſaw any Blood there?

L. c. J. Did you not take any of Sir *E. B. Godfrey*'s Blood in your Handkerchief?

Smith, No not I, my Lord.

Farewell, Call *Rawſon* and his Wife. My Lord, I will prove by theſe Witneſſes that his Eyes were *Fly-blown*.

L. C. J. Rawſon, Mr. *Farewell* enquires of you, If you ſaw any thing like Fly-blows in Sir *E. B. Godfrey*'s Eyes?

Rawſon, Yes, my Lord.

L. C. J. Did you obſerve the Flies buſie at that time of the year?

[*A great Laughter in the Court, the time being in the midſt of* Octob. *and Snowy Weather.*

Rawſon, I did ſee ſomething like Fly-blows.

Farewell, Call *Rawſon*'s Wife.

Cryer, *Rawſons* Wife, come into the Court.

Rawſon. I muſt fetch her then.

Cryer, Make Room there for *Rawſon* and his Wife.

People, They will not come.

Cryer, Make Room for them if they will come. *Rawſon*'s Wife, *Rawſon*'s Wife, come into the Court.

Anſw. Here.

Cryer, Make room there, ſtand clear there, make room.

L. C. J. Woman, Mr. *Farewell* deſires to know if there were *Fly-blows* in the Eyes of Sir *E. B. Godfrey*.

R. Wife, My Lord, people ſaid they were *Fly-bows*.

L. C. J. He asks too what you ſay to the Corners of his Mouth and Noſtrils.

R. Wife, I did not take much notice of them; but they did ſay they were *Fly-blown*.

Farewell, I have ſeen many a one who have dyed a natural death, in whom I have ſeen as much alteration as in him, and my Lord, I can prove, that the Diſcolouring of the Face, and the Circle about the Neck, might have another cauſe then they make the World believe. *Cryer*, Call —— the Kings Surgeon.

—— Sworn.

L. C. J. Farewell ſays, That many perſons dying a Natural Death may look as he did.

Surg. My Lord he was certainly *ſtrangled*, and ſometimes perſons may be *ſtrangled* and yet look pale: If that which ſtrangled

gled him had been taken away while his Body was warm, the Veſſels would have been leſs, and his Face would have been very Pale: Therefore it's evident that that which *ſtrangled* him, was not removed till his Body was cold, which was the occaſion of that blackneſs; for the Knot remaining, the Blood could not run away: He had as high a Colour as if in a Scarlet Feavor; and the Blood that was ſeen by me four yards from the Ditch, I put my finger into it, and it ſmelt like Blood a fortnight or three Weeks from any Body. My Lord, I preſume it was Blood came off the Womb, *&c.* His Neck was very much ſwell'd and black, on one ſide of his Mouth he was diſcoloured; where-ever any Man is bruiſed while he has life, or while warm, the parts ſo bruiſed when dead will ſooneſt corrupt; as is a common thing. Mr. *Cheſs* the Apothecary unbuttening his Collar found two great Creaſes about his Neck, and deſired me to come and ſee it; and the mark was like that of a ſtrait Ring upon a Finger, and while we with-drew to drink two or three Glaſſes of Beer, there remained only this Creaſe above.

Sir *F. Winington*, Do you believe he killed himſelf now Mr. *Farewell*?

L. C. J. Were his Eyes *Fly-blown* and Shut?

Surgeon, There was ſomething in the Corners of his Eyes that looked like matter; but I can't ſay it was *Fly-blown*. His Eyes were open and Blood-ſhotten, like a Man that has had an extraordinary violence uſed toward that part; or like a Man that hath had an extraordinary Cold.

Farewell, Were not his *Eye-laſhes* cloſed?

L. C. J. Were his *Eye-laſhes* cloſed?

Surgeon, No my Lord, his Eyes were open.

Farewell, When I ſaw him his Eyes were ſhut I am ſure.

Surgeon, I am ſenſible, my Lord, that a *great Storm* of Hail and Rain had faln the *Night before*, and that his Cloths were as *dry* as mine, and as whole as mine.

Farewell, I will tell your Lordſhip the reaſon of that; he was removed by the Conſtable at Seven a Clock the Night before, and they made a great *Fire*, and ſo dried his Clothes.

[*A Laughter in the Court.*]

L. C. J. Mr. *Farewell*, Will you call any more Witneſſes?

Farewell, I will call no more, my Lord, I am look'd upon with an *evil eye*; they'll cenſure me as a *Papiſt*, *&c.*

Council, You are Guilty of a worſe Crime, Sir.

Farewell, I ſubmit my ſelf to the Law.

L. C. J. It matters not what *Religion* you are of, ſince ye are guilty of ſuch Crimes.

Serj. Maynard, Here is a high Offence againſt the Government and Juſtice of the Nation, againſt the Reputation of a Perſon of Worth and Integrity, after they had murdered his *Perſon*, to endevour the murdering of his *Good Name*. Theſe perſons have undertaken to manage it; all the Witneſſes Mr. *Farewell* has brought, have contradicted him in all he have ſaid. No *Blood*, no *Fly-blows*, but Stranglings, Stabs, and Bruiſes; and for a Man that ſhould ſtab himſelf, how could he bruiſe himſelf too in that manner? Yet they have aſſerted they would prove it by 500 Witneſſes, but could he produce but one ſubſtantial one, it were well for him. But what have he or they to do with a matter of this nature? The Juſtice of the Kingdom has paſt upon *Green*, *Berry*, and *Hill* for the ſaid Murder upon *Clear Evidence*, but ſuppoſe ſomething might have been ſaid, it became them not to arraign the Government and the Juſtice of the Kingdom in its Adminiſtrations. Sir *E. B. Godfrey* was certainly murdered, and we know by whom. I'll produce two or three Witneſſes that ſhall produce *more than ever yet*; and if there were no more, there would be Evidence enough. My Lord, I deſire that Mr. *Prance* may tell us the manner of his Murder and the Circumſtances.

Sol. General, Mr. *Farewell* has told us *many Lies*, and he leaves the World to make Inferences from them, and has brought Witneſſes to prove ſome pretended Contradictions, and therefore Sir *E. B. Godfrey* murdered himſelf; this Fellow is guilty of the *higheſt malice* in the World, he has told you all theſe things which appear falſe, and from thoſe falſities they would have inferred another, that *he murdered himſelf*.

L. C. J. Bro-

L. C. J. Brother *Maynard*, I have given him leave to bring what Evidence he would, not that I think it *material*; and if he could have proved never ſo much, his *malice* had been never the leſs; but we ſee that his own Evidence runs counter to him. What had he to do in that Caſe? to what purpoſe ſhould he write *Books* about the Government, to traduce the Juſtice of it? This ought not to be done under whatſoever pretences. It has been ſufficiently proved that Sir *E. B. Godfrey* was *murdered*, but there are other Witneſſes yet can ſpeak to it. —— Call them.

Cryer, *John Okely*, *Mary James*.

People, Make room for the Witneſſes there.

Cryer, *Mary James*.

Sol. General, Gentlemen, It's beyond contradiction that Sir *E. B. Godfrey* was *murdered*, and therefore ſhall not need further *Witneſs* to prove it; we ſhall leave it to you, and ſhall not trouble our ſelves or you any further about it.

L. C. J. They did deſign, and would, no doubt of it, have been very much ſatisfied, if they could have made ſome *probable proof* that he kill'd himſelf: But I was deſirous to hear what they could ſay for themſelves. All the Evidence they call, go as much againſt them as can be; the Evidence is as plain as the day that the Man was killed, and *kill'd by Strangers*. Beſides, Sirs, a private perſon muſt not undertake to controul the Juſtice of the Nation: To ſay he was a juſt perſon that ſuffered, and I will juſtifie it; this is not to be indured: but I was willing to hear all that could be ſaid, and whether a doubt could be made; and you ſee his very Evidence conclude him kill'd, and kill'd by Strangers. They are all Three in this Miſchief, there is a Combination of them to affront the Publick Juſtice of the Nation; but the end of this Deſign is to make you believe here was no *Popiſh Plot*; the *Snake* lies under the

Buſh,

Bush, if they could have vomited it, and made a tolerable Proof, That Sir *E. B. Godfrey* had not been *kill'd*. But it's very plain if that could have been brought to be *a Doubt*, then presently you would have had a full Cry, *Oh this is a Sham, a Sham*, a thing raised against the Papists; and then the Plot and all such things had been nothing. I leave it to you, Whether upon this Evidence you do not believe them *all Guilty* of Traducing the Government and the Justice of the Nation.

[*Then was a great Hum.*]

After which, the Jury having a while consulted together, gave in their *Verdict* without going from the Bar,

That the said Nathaniel Thompson, *Mr.* Farewell, *and Mr.* Pain, *were all* Guilty *of the Matter contained in the Information.*

[*Upon which the People gave a great Shout.*]

And Mr. *Farewell* was carried back to the *Kings-Bench*, but *Thompson* and *Pain* not appearing, the Judgment of the Court is daily expected against them all Three.

F I N I S.

REPRODUCED FROM THE COPY IN THE

HENRY E. HUNTINGTON LIBRARY

FOR REFERENCE ONLY. NOT FOR REPRODUCTION